

Adam Strychaluk
 Attorney, Civil Rights Litigation
 astrychaluk@liakaslaw.com
 P: (212) 937-7765
 F: (877) 380-9432



Liakaslaw.com
 40 Wall Street
 50th Floor
 New York, NY 10005

July 8, 2025

By ECF & Fax

Honorable Alvin K. Hellerstein
 United States District Judge
 Southern District of New York

Re: *Bellere v. City of New York*, No. 24 Civ. 5131 (AKH)
 Related: *Rodriguez v. City of New York*, No. 24 Civ. 5133 (AKH)

Your Honor:

My firm represents the fifteen plaintiffs in this putative class action, which centers on detainees' exposures to fire and smoke while incarcerated on Rikers Island. I write jointly with Defendants' counsel¹ under Rule 1(D) of the Court's Individual Rules to request an extension of discovery deadlines. This is the parties' first request for a discovery extension. The additional time is needed to continue discovery discussions, produce relevant documents (both ESI and non-ESI), and to allow Plaintiffs to analyze and evaluate the production.

The Court held an initial conference on November 15, 2024, and entered a civil case management plan three days later. Dkts. 184-- & 186. That case management plan established the following deadlines:

Existing Deadlines (First Scheduling Order Dkt. 186)	
Initial Disclosures and Discovery Requests	December 15, 2024
Subsequent Discovery Requests	May 16, 2025
Joinder & Amendment	June 1, 2025
Close of Fact Discovery	July 15, 2025
Settlement Conference	July 18, 2025
Case Management Conference	July 25, 2025

The same day Plaintiffs filed this action, six other plaintiffs filed a related action alleging similar injuries. See *Rodriguez v. City of New York, et al.*, No. 24 Civ. 5133 (AKH). The Court held the initial conferences in the *Bellere* and *Rodriguez* actions simultaneously, and it established the same deadlines in that action. See 24-cv-5133, Dkt. 31 (Nov. 18, 2024 Case Management Plan).

¹ The New York City Law Department represents Defendant City of New York and the seventeen employees of the New York City Department of Correction named as individual defendants in this action (collectively, "City Defendants"). The remaining defendants—the New York City Health and Hospitals Corporation, the Physician Affiliate Group of New York, Urgicare Medical Associates, and 23 employees of these three organizations (collectively, "Medical Defendants")—are represented by Alejandra Gil of Heidell Pittoni Murphy & Bach LLP.

Plaintiffs and the City served initial disclosures and discovery requests on December 16, and both served their discovery responses on February 5. On February 27, counsel for the City circulated a draft stipulation and protective order to Plaintiffs' counsel. On March 25, counsel for the City followed up with Plaintiffs' counsel about the draft stipulation, and also circulated a set of proposed search terms for the collection and review of ESI discovery. The next day, undersigned counsel for Plaintiffs noticed his appearance in this case following the departure of Plaintiffs' initial counsel from the firm, Dkt. 219, after which the parties met and conferred for the first time about discovery. The parties then jointly filed, and the Court entered, a stipulated protective order on April 24, Dkts. 220 & 221. Plaintiffs and the City met and conferred regarding the City's responses to Plaintiffs' discovery requests and related issues via videoconference on April 11, May 13, May 16, May 27, and June 9.

The parties have made some progress on paper discovery, and City Defendants have produced 3,905 Bates-stamped pages of records, and have agreed to produce more materials by July 24, 2025. As detailed in Plaintiffs' concurrently filed Rule 2(E) letter, Plaintiffs contend that the parties have reached an impasse on a critical discovery dispute and seek the Court's intervention on this matter, while City Defendants contend that Plaintiffs have not exhausted their obligation to meet and confer and that Plaintiff's request is unsupported. Plaintiffs assert that resolution of that dispute will streamline paper discovery and permit the parties to proceed to depositions of fact witnesses.

The parties jointly request a six-month extension of existing deadlines, both in this matter and *Rodriguez*:

Requested Extensions	
Subsequent Discovery Requests	November 17, 2025
Joinder & Amendment	December 1, 2025
Close of Fact Discovery	January 14, 2026
Settlement Conference	January 19, 2026
Case Management Conference	February 6, 2026

A/c/t

These extensions are necessary to provide the parties with adequate time to meet-and-confer about efficiently completing non-ESI and ESI discovery, and to provide Plaintiffs with time to meaningfully review materials Defendants intend to produce before proceeding to depositions.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

Adam Strychaluk

CC: Nicholas Robert Tambone (by ECF)
New York City Law Department
Attorney for City Defendants

Alejandra Rosa Gil (by ECF)
Heidell Pittoni Murphy & Bach LLP
Attorney for Medical Defendants

Sayed Masoud Mortazavi | Maryanne K. Kaishian (by Email)
Kaishian & Mortazavi LLC
Attorneys for Rodriguez Plaintiffs
smm@kaishianlaw.com | mk@kaishianlaw.com